

UNITED STATES DISTRICT COURT
FOR THE COMMONWEALTH OF MASSACHUSETTS

Civil Action No. 05CV-10165-RGS

GREAT NORTHERN INSURANCE
COMPANY, as Subrogee of JON AND
ABBY WINKELREID,
Plaintiff

v.

FERGUSON & SHAMAMIAN
ARCHITECTS, LLP AND
W.B. MARDEN COMPANY,
Defendants

And

W.B. MARDEN COMPANY,
Third-Party Plaintiff

v.

ELLIS AND SCHNEIDER,
Third-Party Defendant

THIRD-PARTY DEFENDANT, ELLIS AND SCHNEIDER'S, ANSWER
TO THIRD PARTY COMPLAINT

PARTIES

1. The Third-Party Defendant admits the allegations of Paragraph 1 of the Third-Party Complaint.
2. The Third-Party Defendant denies the allegations of Paragraph 2 of the Third-Party Complaint.

FACTS

3. The Third-Party Defendant admits the allegations of Paragraph 3 of the Third-Party Complaint.
4. The Third-Party Defendant admits the allegations of Paragraph 4 of the Third-Party Complaint.

5. The Third-Party Defendant denies the allegations of Paragraph 5 of the Third-Party Complaint.
6. The Third-Party Defendant denies the allegations of Paragraph 6 of the Third-Party Complaint.
7. The Third-Party Defendant denies the allegations of Paragraph 7 of the Third-Party Complaint.
8. The Third-Party Defendant denies the allegations of Paragraph 8 of the Third-Party Complaint.
9. The Third-Party Defendant denies the allegations of Paragraph 9 of the Third-Party Complaint.
10. The Third-Party Defendant denies the allegations of Paragraph 10 of the Third-Party Complaint.
11. The Third-Party Defendant denies the allegations of Paragraph 11 of the Third-Party Complaint.
12. The Third-Party Defendant denies the allegations of Paragraph 12 of the Third-Party Complaint.

COUNT I
(Contribution as to Ellis and Schneider)

13. The Third-Party Defendant repeats and realleges its answers to Paragraphs 1 through 12 herein and incorporates them by reference.
14. The Third-Party Defendant denies the allegations of Paragraph 14 of the Third-Party Complaint.
15. The Third-Party Defendant denies the allegations of Paragraph 15 of the Third-Party Complaint.

COUNT II
(Common Law Indemnification – Ellis and Schneider)

16. The Third-Party Defendant repeats and realleges its answers to Paragraphs 1 through 15 herein and incorporates them by reference.
17. The Third-Party Defendant denies the allegations of Paragraph 17 of the Third-Party Complaint.

18. The Third-Party Defendant denies the allegations of Paragraph 18 of the Third-Party Complaint.
19. The Third-Party Defendant denies the allegations of Paragraph 19 of the Third-Party Complaint.

WHEREFORE, the Third-Party Defendant, Ellis and Schneider, requests that the Third-Party Complaint be dismissed.

Respectfully submitted,
By its Attorney,

/s/ Martin S. Cosgrove
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DATED:

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CERTIFICATE OF SERVICE

I hereby certify that I have this day forwarded a copy of the within Third-Party Defendant, Ellis and Schneider's, Answer to Third-Party Complaint, by mailing a copy of same, first class mail, postage prepaid, to:

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DATED:

/s/ Martin S. Cosgrove
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